



IFW
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application Of)
)
Corey E. Klatt *et al.*)
) Group Art Unit: 3624
Serial No.: 09/479,918)
) Examiner: E. Colbert
Filed: January 10, 2000)
)
For: System and Method of Using) Atty. Dkt. No. 004944.85635
A Sales Management System to)
Generate Printed Products)

Request to Withdraw Notice of Abandonment

Mail Stop: Issue Fee
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants received a Notice of Abandonment dated June 29, 2006. The Notice indicates that the application is considered abandoned because the Applicant failed to timely file a proper reply to the Office letter mailed on March 11, 2005. In particular, the Notice indicates that no reply has been received.

Applicants note that they did not receive and are unaware of an Office Action mailed on March 11, 2005. A search of the file jacket and docket records confirms that the Office Action of March 11, 2006, was not received. As such, any failure to reply to the Office Action of March 11, 2005, was wholly unintentional. Attached at Tab 1 is a copy of our internal docketing logs as proof of non-receipt.

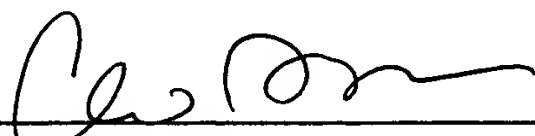
Applicants further note that on March 11, 2005, Applicants timely submitted a response and request for reconsideration for responding to the Office Action of December 15, 2004. Attached at Tab 2 is a copy of the stamped postcard showing receipt of the response. Attached at Tab 3 is a copy of the response and request for reconsideration filed on March 11, 2005.

Application of Klatt et al. - Serial No. 09/479,918

As Applicants timely submitted the response to the Office Action of December 15, 2004 and since the Office letter of March 11, 2005, was not received, Applicants submit that the holding of abandonment is in error.

Respectfully submitted,

By:


Chunhsi Andy Mu
Registration No. 58,216

BANNER & WITCOFF, LTD.
1001 G Street, N.W., 11th Floor
Washington, D.C. 20001
(202) 824-3156

Dated: August 28, 2006



PTO LOG March 11, 2005

APPLICATION #	DOCKET #	DESCRIPTION
10/622744	001701.00193	ISSUE NOTIFICATION
10/206597	003797.00267	ISSUE NOTIFICATION
10/434212		N/OF REOCRDATAION
10/501534	000025.00044	N/OF REVISED PUBLICATION
29/218972	006089.00241	OFR
29/222525	015127.00458	OFR
29/21770	015127.00405	OFR
29/222661	015127.00446	OFR
11/045084	001039.00033	OFR
10/961405	101765.00076	OFR
29/218698	006089.00239	OFR
11/048781	003797.01246	OFR
29/218317	006089.00236	OFR
10/828295	001107.00474	OFR
29/218969	006089.00240	OFR
11/045082	003797.01286	OFR
11/045083	003797.01141	OFR
29/222529	015127.00457	OFR
11/045189	006582.00006	OFR
10/651211	004770.00130	N/OF PUBL OF APPLN
10/912286	001458.00053	N/OF PUBL OF APPLN
10/868658	001107.00482	N/OF PUBL OF APPLN
76/407554		N/OF ACCEPTANCE
75/558754		N/OF ACCEPTANCE
PCT/US05/003973		PAYMENT OF PRESCRIBED FEES
6736348		PETITION GRANTED
29/200419	015127.00299	N/OF ALLOWANCE
29/215765	015127.00378	N/OF ALLOWANCE
09/918721	003797.00129	N/OF ALLOWANCE
29/215766	015127.00377	N/OF ALLOWANCE
29/214922	015127.00390	N/OF ALLOWANCE
75648116		N/OF SUSPENSION
10/683159	002306.00025	1MON OFFICE ACTION

[illegible]

PTO LOG March 14, 2005

APPLICATION #	DOCKET #	DESCRIPTION
29/182232	005341.00024	ISSUE NOTIF
09/960627	005127.00062	ISSUE NOTIF
09/904731		ISSUE NOTIF
29/172122	005214.00016	ISSUE NOTIF
29/177234	006162.00007	ISSUE NOTIF
29/208211	015127.00342	ISSUE NOTIF
78/306666		CERTIFICATE OF REGISTRATION
11/051245	005127.00438	NTFMP
29/222866	015127.00459	NTFMP
11/044712	003797.01139	NTFMP
10/494466	004476.00025	FILNG RCPT
10/494466	004476.00025	N/ACCEPTANCE OF APPLN
29/218318	006089.00235	UPDTD FILNG RCPT
29/216885	006089.00229	UPDTD FILING RCPT
11/011602	003797.01243	FILNG RCPT
11/049985	003797.01287	FILING RCPT
11/051245	005127.00438	FILING RCPT
29/222866	015127.00459	FILING RCPT
60/653118	006552.00100	FILING RCPT
10/656140	001107.00388	UPDTD FILING RCPT
29/223036	005341.00073	FILING RCPT
11/049974	006582.00007	FILING RCPT
10/938846	006059.00012	UPDTD FILING RCPT
10/978481	003797.01174	UPDTD FILING RCPT
29/222897	001309.00079	FILING RCPT
10/992229	006553.00004	UPDTD FILING RCPT
10/985956	003797.01167	UPDTD FILING RCPT
10/985956	003797.01167	N/INFORMAL APPLN
11/011603	003797.01123	FILING RCPT
11/044712	003797.01139	FILING RCPT
29/217906	006089.00232	UPDTD FILING RCPT
10/935744	005127.00395	UPDTD FILING RCPT
10/856425	003921.00173	N/RECORDATION

10/926080	005127.00336	N/RECORDATION
29/211968	001582.00241	N/RECORDATION
29/202606	001309.00062	N/RECORDATION
10/926000	005127.00327	N/RECORDATION
10/825607	004730.00015	N/RECORDATION
10/497036	000137.00038	N/RECORDATION
29/202608	001309.00061	N/RECORDATION
10/927059	001458.00056	N/RECORDATION
29/205179	006089.00159	N/RECORDATION
29/205177	006089.00201	N/RECORDATION
10/927507	000470.00010	N/RECORDATION
US0006133	001107.00427	N/RECORDATION
29/206163		N/RECORDATION
09/949205	005288.00018	N/RECORDATION
10/276518	005155.00005	NOA
10/070384	000771.00029	NOA
29/193510	006089.00161	SUPPL N/ALLOWABILITY
09/185070		NOA
29/215602	013797.00530	NOA
29/215606	013797.00527	NOA
11/022636	003797.01244	NOA
29/215584	013797.00523	NOA
29/215607	013797.00525	NOA
29/219288	001582.00261	NOA
29/215605	013797.00526	1 MNTH REST OA
10/620837	005127.85919	3 MNTH FINAL OA
09/804383	003797.00060	3 MNTH OA
10/239422	004974.000800	1 MNTH REST OA
10/202887	00407.00032	3 MNTH OA
09/932543	001701.39203	3 MNTH OA
10/311591	004974.00929	3 MNTH OA
09/859565	003797.00014	3 MNTH OA
10/993369	005432.00022	3 MNTH OA
29/210533	013797.00464	2 MNTH OA

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PTO LOG March 16, 2005

APPLICATION #	DOCKET #	DESCRIPTION
11/044713	003797.01148	NTFMP
10/221936	004974.00799	3 MONTH OA
10/274043	002918.00016	N/ABANDONMENT
09/977245	005242.00019	ADVISORY ACTION
11/012932	005245.00025	RESP TO REQ/CORR FILING RCPT
08/513868	010180.50881	MAINT FEE REMINDER
09/367493	001556.83184	MAINT FEE REMINDER
09/150622	001107.75536	MAINT FEE REMINDER
09/401300	001359.84234	MAINT FEE REMINDER
29/223035	005341.00074	FILNG RCPT
11/044713	003797.01148	FILNG RCPT
11/045079	003797.01151	FILNG RCPT
11/049535	001701.00298	FILNG RCPT
11/053697	005127.00439	FILNG RCPT/RESP TO REQ/CORR FILNG RCPT
11/012932	005245.00025	CORR FILNG RCPT
11/052039	003797.01298	FILNG RCPT
11/053705	005127.00440	FILNG RCPT
10/500357	005149.00003	FILNG RCPT
10/500357	005149.00003	N/ACCEPTANCE OF APPLN UNDER 35 USC
29/214911	015127.00380	FILNG RCPT
11/029841		FILNG RCPT
11/050674	006427.00154	FILNG RCPT
11/050677	005127.00446	FILNG RCPT
11/049984	001039.00034	FILNG RCPT
11/046725	001039.00032	FILNG RCPT
60/654452	000417.00024	FILNG RCPT
10/490055	006145.00006	N/RECORDATION
10/898578	003797.00865	N/RECORDATION
29/203000	015127.00322	N/RECORDATION
29/205175	006089.00196	N/RECORDATION
10/481821	006136.00002	N/RECORDATION
10/845494	004770.00194	N/RECORDATION
29/203000	015127.00322	N/RECORDATION

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PTO LOG March 17, 2005

APPLICATION #	DOCKET #	DESCRIPTION
11/071194	006777.00012	SERIAL # CARD
11/071256	006777.00004	SERIAL # CARD
11/071807	006777.00009	SERIAL # CARD
60/658207	006501.00009	SERIAL # CARD
60/658208	000250.00030	SERIAL # CARD
60/658209	003482.00018	SERIAL # CARD
11/070258	006777.00002	SERIAL # CARD
11/070249	006559.00004	SERIAL # CARD
11/071257	006777.00003	SERIAL # CARD
78/107606		N/ABANDONMENT
78/107589		N/ABANDONMENT
78/048583		N/ABANDONMENT
10/622744		LTRS PATENT
10/206597		LTRS PATENT
10/379900		LTRS PATENT
11/057371	003797.01186	NTFMP
11/058417	005127.00342	NTFMP
11/053581	005127.00410	NTFMP
10/665358	051291.00189	1 MNTH RESTRICTED OA
10/750213	101765.00005	1 MNTH RESTRICTED OA
10/784916	101765.00026	3 MNTH OA
10/724619	001309.00053	NOA
10/068979	003797.00219	NOA
29/207006	015127.00336	N/RECORDATION
10/764567	001458.00041	N/RECORDATION
10/663378	006389.00002	N/RECORDATION
29/204296	006089.00194	N/RECORDATION
10/697103	006389.00004	N/RECORDATION
10/722676	006389.00005	N/RECORDATION
60/513591	003797.00708	N/RECORDATION
60/651456	003921.00138	OFR
11/052038	002414.00005	OFR
11/057371	003797.01186	OFR

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PTO LOG March 18, 2005

APPLICATION #	DOCKET #	DESCRIPTION
11/037465	001458.00061	NTFMP
10/398120	004974.00988	1 MNTH RESTRICTED
10/399405	004974.00947	1 MNTH RESTRICTED
10/398458	004974.00987	1 MNTH RESTRICTED
10/238608	001409.00003	1 MNTH RESTRICTED
10/098279	011738.00059	3 MNTH OA
09/384141	003797.81834	3 MNTH OA
10/179013	005127.00060	3 MNTH OA
10/739285	005127.00244	FINAL 3 MNTH OA
10/180096	005288.00048	3 MNTH OA
29/219287	001582.00259	NOA
10/438248	005127.00212	NOA
29/219289	001582.00262	NOA
10/492350	004770.00201	N/PUBLICATION
10/646472	003797.00618	N/PUBLICATION
10/936826	006582.00002	N/PUBLICATION
10/644896	003797.00619	N/PUBLICATION
10/306731	006150.00002	N/PUBLICATION
10/493211	004974.00969	N/PUBLICATION
10/658416	003955.00124	N/PUBLICATION
10/932322	004900.00023	N/PUBLICATION
10/644899	003797.00615	N/PUBLICATION
10/968133	000479.00139	N/PUBLICATION
10/954293	003797.01119	N/PUBLICATION
60/653063	005156.00034	OFR
11/056223	003797.01289	OFR
11/037465	001458.00061	OFR
11/055158	005127.00437	OFR
11/055658	003797.01300	OFR
11/055655	001701.00301	OFR
10/380533		N/RECORDATION
10/380533		N/RECORDATION
5657073		MAINT FEE REM

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PTO LOG March 21, 2005

APPLICATION #	DOCKET #	DESCRIPTION
29/200411	006089.00179	Issue Notification
10/273700		Issue Notification
10/369197	101765.00104	Issue Notification
10/387546	008242.00009	Issue Notification
29/208210	015127.00338	Issue Notification
29/207907	015127.00340	Issue Notification
29/178032	001582.00180	Issue Notification
10/221027	004593.00011	Issue Notification
29/180687	006089.00114	Issue Notification
29/219052	006089.00228	OFR
29/223635	015127.00451	OFR
11/062166	003797.01144	OFR
10/970722	006427.00155	OFR
11/061722	001458.00063	Notice to File Missing Parts
11/061722	001458.00063	OFR
11/061735	002372.00054	OFR
11/060353	003797.01185	OFR
29/223634	015127.00453	OFR
11/060726	006582.00008	OFR
29/223695	005341.00077	OFR
11/053074	005127.00441	OFR
11/061508	002393.00025	OFR
29//219050	006089.00225	OFR
29/223630	001582.00269	OFR
29/223638	015127.00431	OFR
29/223631	001582.00268	OFR
11/052996	005127.00443	OFR
29/223636	015127.00450	OFR
29/223637	015127.00433	OFR
11/052997	005127.00445	OFR
29/219162	006089.00245	OFR
11/036615	003797.01096	OFR
11/036614	003797.01097	OFR

60/622783	003482.00019	OFR
10/323609	005127.00170	Notice of Allowance
09/597392		Notice of Allowance
29/202607	001309.00063	Notice of Allowance
10/737877	004476.00021	Notice of Allowance
29/208209	015127.00339	Notice of Allowance
10/130750	001309.00024	Notice of Allowance
09/203676	000250.74943	Notice of Allowance
10/178956	101765.00085	Notice of Allowance
09/741107	003797.00068	Board of Appeals & Interferences
10/001070		Office Action
10/845302	005127.00292	Office Action
10/011713	003797.00376	Office Action
10/290472	051291.00070	Office Action
10/652309	005127.00206	Office Action
10/701171	008242.00010	Notice of Abandonment
09/604810	003797.00015	Advisory Action
11/061735	002372.00054	Notice to File Missing Parts
11/036615	003797.01096	Notice to File Missing Parts
11/036614	003797.01097	Notice to File Missing Parts
29/172698		Notice of Recordation of Assignment
10/932803		Notice of Recordation of Assignment
29/203000		Notice of Recordation of Assignment
29/212557		Notice of Recordation of Assignment
29/187689		Notice of Recordation of Assignment
5659554		Maint Fee Statement
09/983232		Brd of Appeals/Interferences Docket Notice
09/801929	003797.00092	Notice of Non-Compliant
10/403341		Notice of Acceptance of POA
10/436218		Notice of Acceptance of POA
10/642585	005284.00214	Notice re Change of POA
09/802213	061765.00035	Notice re Change of POA
6736348		Notice C.O.C. received
29/224608	001582.00280	Serial Card

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PTO LOG March 23, 2005

APPLICATION #	DOCKET #	DESCRIPTION
11/061550	006763.00001	Notice to File Corrected Appln
11/065297	004476.00038	Notice File Missing Parts
11/065296	005127.00419	Notice File Missing Parts
10/499030	010180.00022	Notification of Missing Req.
10/817954	001701.00206	Office Action
10/671885	005242.00138	Office Action
09/653201	00479.00013	Office Action
10/350076	002306.00020	Office Action
10/366706	001028.00011	Supp Notice of Allowability
29/195158	000407.00024	Notice of Allowance
10/938660		Notice of Recordation of Assignment
29/208444		Notice of Recordation of Assignment
29/204295		Notice of Recordation of Assignment
11/065297	004476.00038	OFR
29/222518	001582.00267	OFR
11/061550	006763.00001	OFR
29/224052	015127.00469	OFR
11/063885	003797.01150	OFR
11/061928	000280.00026	OFR
10/983578	006586.00007	OFR
78/357949		Examiner's Amendment
10/399957	006322.00002	Advisory Action
10/204672	161765.00502	Notice re Change of POA
29/202907	015127.00289	Petition
29/224811	006089.00258	Serial No. Card
D501849		Receipt of Req. for C.O.C.
6744774		Receipt of Req. for C.O.C.
78/309087		Notice of Approval of Extension
78/259226		Notice of Accept of SOU

PTO LOG March 24 2005

APPLICATION #	DOCKET #	DESCRIPTION
11/066800	003797.01145	Notice to File Corrected Appln. Papers
60/648375	005127.00425	Notice to File Missing Parts
76/607328	001582.00236	Office Action
10/210066	001107.00285	Office Action
10/349021	004974.00962	Office Action
10/704122	005127.00355	Office Action
10/337425	006020.00023	Office Action
10/425605	051291.00079	Notice of Allowance and Fee
09/899532	002973.00040	Notice of Allowance and Fee
29/215780	013797.00607	Notice of Allowance and Fee
09/769438	003797.86780	Supp Notice of Allowability
2932662		Cert. of Registration
09/979724		Letters Patent
10/177673		Letters Patent
29/201166		Letters Patent
29/1934472		Letters Patent
29/183524		Letters Patent
29/198460		Letters Patent
10/183992		Notice of Recordation of Assignment
10/494306		Notice of Recordation of Assignment
10/145196		Notice of Non-Recordation
29/223980	013797.00627	Filing Receipt
11/064972	006760.00004	Filing Receipt
60/648375	005127.00425	Filing Receipt
11/066800	003797.01145	Filing Receipt
11/056611	003797.01108	Filing Receipt
29/223981	013797.00629	Filing Receipt
29/223979	013797.00625	Filing Receipt
10/510442	000280.00048	Filing Receipt
29/219166	006089.00248	Filing Receipt
11/064929	006760.00003	Filing Receipt
29/223978	013797.00622	Filing Receipt
10/976867	009242.00023	Notice of Publication

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PTO LOG March 25, 2005

APPLICATION / PATENT#	DOCKET #	DESCRIPTION
6746864		Request for C.O.C. recd
11/060854	011361.00126	Notice to File Missing Parts
10/996070	001107.00515	Notice to File Missing Parts
11/068036	003921.00225	Notice to File Missing Parts
29/223878	005341.00075	Notice to File Missing Parts
10/297206	00280.00026	Notice of Allowance and Fee
29/214612	015127.00373	Notice of Allowance and Fee
29/214777	015127.00365	Notice of Allowance and Fee
29/214693	015127.00374	Notice of Allowance and Fee
10/096110	005405.00006	Notice of Allowance and Fee
10/077898	005405.00005	Notice of Allowance and Fee
10/631013	003797.00541	Office Action
09/979967		Office Action
10/390030	001039.00009	Office Action
10/181491	000254.00001	Office Action
09/937897	000475.00004	Office Action
09/992788		Office Action
11/036611	003797.01095	Updated OFR
29/219160	006089.00247	Updated OFR
10/998354	006569.00002	Updated OFR
10/970727	003921.00198	Updated OFR
10/975014	003797.01164	Updated OFR
10/975012	003797.01163	Updated OFR
10/975017	003797.01162	Updated OFR
10/996070	001107.00515	OFR
60/658207	006501.00009	OFR
10/979159	001107.00511	OFR
11/060854	011361.00126	OFR
11/068036	003921.00225	OFR
60/635622	022441.00008	OFR
29/223878	005341.00075	OFR
10/486924		Notice of Recordation

[illegible]



☒ PATENT ☐ DESIGN

B&W Ref. 004944.85635

Date 3/11/05

☐ HAND CARRY Group/Section

Bldg

Rm

Serial/Patent No. 09/479,918

Atty/Sec GDF/AMU/mmd

Inventor Corey E. Klatt et al

Client Image X

Title System And Method Of Using A Sales Management System To Generate Printed Products

The following has been received in the U.S. Patent and Trademark Office on the date stamped hereon:

☐ total pp Spec., including : # of Claims

(# of independent claims); ☐ Abstract

☐ Drawings : ☐ Formal ☐ Informal

of distinct sheets : Figs.

☐ Declaration/Power of Attorney : ☐ Executed ☐ Unexecuted

☐ Assignment w/PTO Cover Sheet

☐ IDS w/PTO 1449 ☐ References ☐ w/Fee

☐ Preliminary Amendment

☐ Priority Claim (Foreign or U.S. Provisional. B&W #

Country

Appl. #

Date

☐ w/Foreign Priority Document(s)

☐ Application : ☐ CIP ☐ Continuation ☐ Divisional

Parent Ser. No. B&W#

☐ U.S. Provisional pp Spec/Claims; Cover Sheet

☐ Response to Missing Parts/Requirements dtd

☐ Response to Notice to File Corrected Appln. Papers dtd

☐ Request for Expedited Foreign Filing License

☐ Request for Corrected : ☐ Filing Receipt

☐ Assignment

☐ Response to Restriction/Election Requirement

☐ Sequence Listing : ☐ Diskette ☐ Paper

☐ Amendment ☒ Response : OA dtd 12/15/04

☐ Petition for Extension of Time until

☐ CPA ☒ RCE ☐ w/Ext of Time : OA dtd

☐ Request for Approval of Drawing Changes

☐ Notice of Appeal & Fee

☐ Brief : ☐ Appeal & Fee ☐ Reply

☐ Request for Oral Hearing

☐ Issue Fee ☐ Advance Patent Copies (# ordered)

Notice of Allowance dtd

☐ Amendment under 37 CFR 1.312

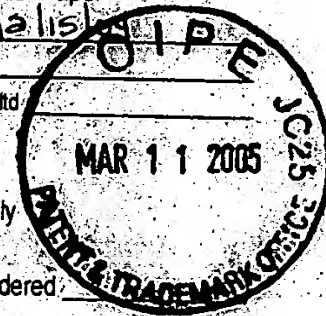
☐ Request for Certificate of Correction

☒ Transmittal ☐ Fee Transmittal w/Auth. to Charge Deposit Acct.

☐ Certificate of Mailing

☐ Check # for \$

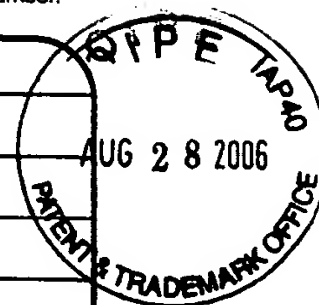
☒ Copy of Request For Reconsideration filed 7/20/04



B&W Rev. 5/01

11

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/479,918	
	Filing Date	January 10, 2000	
	First Named Inventor	Corey E. Klatt	
	Art Unit	3624	
	Examiner Name	E. Colbert	
Total Number of Pages in This Submission		Attorney Docket Number	004944.85635



ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Copy of Request For Reconsideration filed 7/20/04
<div style="border: 1px solid black; padding: 5px;"> Remarks </div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm	Banner & Witcoff, LTD.		
Signature			
Printed Name	Gary D. Fedorochko		
Date	March 11, 2005	Reg. No.	35,509

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Signature			
Typed or printed name		Date	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Corey E. KLATT ET AL.

Serial No. 09/479,918

Filed: January 10, 2000

For: **SYSTEM AND METHOD OF USING A
SALES MANAGEMENT SYSTEM TO
GENERATE PRINTED PRODUCTS**

)
)
) Group Art Unit: 3624
)
) Examiner: E. Colbert
)
) Atty. Dkt. No. 004944.85635
)
)

RESPONSE AND REQUEST FOR RECONSIDERATION

U.S. Patent and Trademark Office
Customer Service Window, Mail Stop Amendment
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

This paper is responsive to the non-final Office Action mailed December 15, 2004.

Claims 1-32 remain pending.

Applicants wish to thank the Examiner for the courtesies extended to the undersigned during the informal telephone interview of March 10, 2005. The undersigned advised the Examiner that the rejections made in the instant office action were substantially, if not wholly, identical to those made to the identical claims in the office action (paper no. 11) mailed January 20, 2004. Further, applicants informed the Examiner that in response to paper no. 11, applicants filed a Request for Reconsideration on July 20, 2004 addressing the rejections. A copy of the Request for Reconsideration is attached and is herein incorporated by reference. During the

telephone conference, the Examiner indicated that a copy of the Request for Reconsideration was not scanned and that she did not have access to this document.

In response to the Request For Reconsideration, the Examiner issued a non-final office action on August 24, 2004 (paper no. 081804) acknowledging the Request For Reconsideration, withdrawing the rejections made in paper no. 11, and making only an obviousness-type double patenting rejection. In response, applicants filed a Response to Office Action and Terminal Disclaimer. The Examiner replied with the instant non-final office action making the same rejections that were previously addressed and overcome by the Request for Reconsideration.

In light of the above, Applicants respectfully request that the Examiner fully consider the arguments presented in the instant Request for Reconsideration, which incorporates the previous Request for Reconsideration by reference. In the event that the Examiner determines that a Notice of Allowance is not appropriate in response to this reply and decides to issue an office action, applicants respectfully submit that any such office action must be non-final. Alternatively, applicants request withdrawal of the instant office action in view of the aforementioned facts.

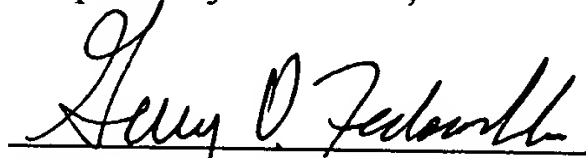
Serial No.: 09/479,918
Attorney Ref. No.: 004944.85635
Response to 12/15/04 Office Action

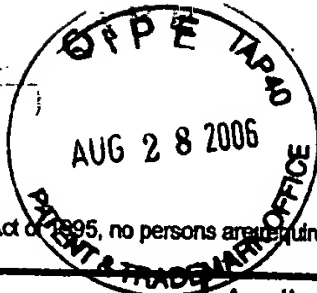
All of the rejections having been addressed, Applicant respectfully requests allowance of the present application and timely notification of the same. Should the Examiner have any questions or comments, the Examiner is invited to contact the undersigned at the number below.

Dated: 3/11/05

BANNER & WITCOFF, LTD
1001 G Street, N.W.
Suite 1100
Washington, D.C. 20001
(202) 824-3000

Respectfully submitted,

By: 
Gary D. Fedorochko
Registration No. 35,509



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO/SB/21 (02-04)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/479,918
Filing Date	January 10, 2000
First Named Inventor	Corey E. Klatt
Art Unit	3624
Examiner Name	E. Colbert
Attorney Docket Number	004944.85635

Total Number of Pages in This Submission

ENCLOSURES (check all that apply)

- | | | |
|--|--|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form
<input type="checkbox"/> Fee Attached
<input checked="" type="checkbox"/> Amendment / Reply
<input checked="" type="checkbox"/> After Final
<input type="checkbox"/> Affidavits/declaration(s)
<input checked="" type="checkbox"/> Extension of Time Request
<input type="checkbox"/> Express Abandonment Request
<input type="checkbox"/> Information Disclosure Statement
<input type="checkbox"/> Certified Copy of Priority Document(s)
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)
<input type="checkbox"/> Licensing-related Papers
<input type="checkbox"/> Petition
<input type="checkbox"/> Petition to Convert to a Provisional Application
<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address
<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> Request for Refund
<input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
Notice of Appeal |
|--|--|---|

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name Gary D. Fedorochko, Reg. No. 35,509

Signature

Gary D. Fedorochko

Date

July 20, 2004

CERTIFICATE OF TRANSMISSION/MAILING

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Typed or printed name

Signature

Date

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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 1280

Complete if Known

Application Number 09/479,918
Filing Date January 10, 2000
First Named Inventor Corey E. Klatt
Examiner Name E. Colbert
Art Unit 3624
Attorney Docket No. 004944.85635

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money ☐ Other ☐ None
Order

☒ Deposit Account:

Deposit
Account
Number

19-0733

Deposit
Account
Name

Banner & Witcoff, LTD.

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$ 0)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims - ** = 0 X = 0
Independent Claims - ** = 0 X = 0
Multiple Dependent 0 X 290 = 0

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 0)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	950
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	330
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17 (q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 1280)

SUBMITTED BY

Name (Print/Type) Gary D. Fedorochko Registration No. (Attorney/Agent) 35,509 Telephone (202) 824-3000
Signature *Gary D. Fedorochko* Date July 20, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Corey E. KLATT ET AL.

Serial No. 09/479,918

Filed: January 10, 2000

For: **SYSTEM AND METHOD OF USING A
SALES MANAGEMENT SYSTEM TO
GENERATE PRINTED PRODUCTS**

)
)
) Group Art Unit: 3624
)
) Examiner: E. Colbert
)
) Atty. Dkt. No. 004944.85635
)
)

REQUEST FOR RECONSIDERATION

Mail Stop AF
Assistant Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is responsive to the Final Office Action mailed January 20, 2004 (paper no. 11). Reconsideration and allowance are respectfully requested. Claims 1-32 remain pending.

Claims 1-32 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Yaksich *et al.* (U.S. Patent No. 5,563,999) (hereinafter "Yaksich") in view of Sevcik *et al.* (U.S. Patent No. 6,330,542) (hereinafter "Sevcik"). These rejections are respectfully traversed for the following reasons.

Claim 1 is directed to a method for producing a printed product in response to a corporate sales management system. The claimed method includes, *inter alia*, in a print processing facility, receiving event data, comparing the event data to one or more predefined event rules that determine whether the printed product should be produced and, in response to a positive

determination, automatically generating a print order for the printed product using information extracted from the event data. The Action concedes that Yaksich fails to teach or suggest such a feature. Office Action, pp. 3-4. Applicants respectfully submit that Sevcik fails to overcome this deficiency of Yaksich. Thus, the combination of Yaksich and Sevcik, even if proper, does not result in claim 1 invention including receiving event data and comparing the event data to one or more predefined event rules that determine whether a printed product should be produced. At best, Sevcik discloses a method and system for automatically generating quotes for commercial printing pursuant to particular needs controlled and specified by the buyer. Col. 1, ll. 10-15. The Office Action cites several passages from Sevcik which describe the selection and processing of variable options in generating an automated quote for the potential buyer. Office Action, p. 4. However, such a method does not suggest comparing event data to one or more predefined event rules that determine whether the printed product should be produced as recited in claim 1. In fact, Sevcik discloses that the decision of whether or not a printed product should be produced is ultimately made by the buyer. Col. 13, ll. 27-34. As such, Sevcik specifically teaches away from predefined event rules that determine whether the printed product should be produced. Thus, the combination of Yaksich and Sevcik would not have resulted in the claim 1 invention for at least this reason.

With further reference to claim 1, Sevcik does not teach or even suggest "in response to a positive determination, automatically generating a print order for the printed product using information extracted from the event data." Since Sevcik does not even teach making a determination of whether a printed product should be produced according to predefined event rules, it necessarily follows that Sevcik neither teaches nor suggests automatically generating a print order for the printed product in response to a positive determination as called for in claim 1.

At most, Sevcik discloses executing a job according to quote parameters upon receiving an order command from the buyer. Col. 13, ll. 27-59. Thus, claim 1 is allowable for this additional reason.

Claims 2-16 are dependent on claim 1 and are thus allowable for at least the same reasons as claim 1 and further in view of the novel and non-obvious features recited therein.

The system of independent claim 17 includes, *inter alia*, a print processing facility, wherein the print processing facility receives event data, compares the event data to one or more predefined event rules that determine whether the printed product should be produced and, in response to a positive determination, automatically generates a print order for the printed product using information extracted from the event data. Similar to claim 1, Yaksich and Sevcik fail to teach or even suggest such a feature either independently or in combination. As such, claim 17 is allowable for at least this reason.

Claim 18-30 depend from claim 17 and are thus allowable for at least the same reasons as claim 17 and further in view of the novel and non-obvious features recited therein.

Independent claim 31 relates to, *inter alia*, a print processing facility, wherein the print processing facility receives event data describing a predefined sales event, compares the event data to one or more predefined event rules that determine whether a printed product should be produced and, in response to a positive determination, automatically generates a print order for the printed product using information extracted from the event data. Yaksich, either independently or in combination with Sevcik, fails to teach or even suggest such a feature. Nowhere does Yaksich teach or suggest comparing event data with predefined event rules that determine whether a printed product should be produced. The passages cited in the action at page 12 disclose methods of handling and distributing business forms and do not suggest any

details regarding a production determination step using predefined event rules. At most, Yaksich discloses a distribution method for deciding which geographic locations will be provided with already existing business forms. Col. 2, ll. 38-67. However, distribution management is wholly different from determining whether a printed product should be *produced* according to one or more predefined event rules. The action also presents contradictory positions in admitting that Yaksich does not teach similarly worded limitations in claims 1 and 17, but alleging that Yaksich shows such a step in claim 31. In any case, both Yaksich and Sevcik fail to teach or suggest a step of comparing event data to one or more predefined event rules that determine whether a printed product should be produced and, in response to a positive determination, automatically generating a print order for the printed product using information extracted from the event data as recited in claim 31. Sevcik lacks a teaching or suggestion of this feature for the same reasons as stated for claims 1 and 17. Thus, claim 31 is allowable for at least this reason.

Claim 32 is dependent on claim 31 and is thus allowable for at least the same reasons as claim 31 and further in view of the additional advantageous features recited therein.

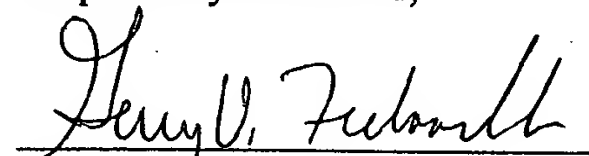
All of the rejections having been addressed, Applicant respectfully requests allowance of the present application and timely notification of the same. Should the Examiner have any questions or comments, the Examiner is invited to contact the undersigned at the number below.

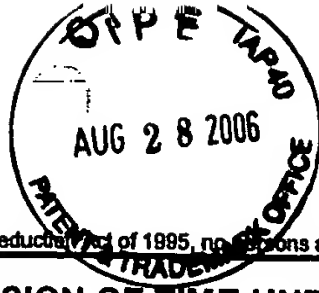
Dated: July 20, 2004

BANNER & WITCOFF, LTD
1001 G Street, N.W.
Suite 1100
Washington, D.C. 20001
(202) 824-3000

Respectfully submitted,

By:


Gary D. Fedorochko
Registration No. 35,509



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Approved for use through 7/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)

Docket Number (Optional)
004944.85635

In re Application of Corey E. Klatt et al.

Application Number 09/479,918

Filed January 10, 2000

For SYSTEM AND METHOD OF USING A SALES MANAGEMENT
SYSTEM TO GENERATE PRINTED PRODUCTS

Art Unit 3624

Examiner E. Colbert

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension and appropriate non-small-entity fee are as follows (check time period desired):

- ☐ One month (37 CFR 1.17(a)(1)) \$ _____
- ☐ Two months (37 CFR 1.17(a)(2)) \$ _____
- ☒ Three months (37 CFR 1.17(a)(3)) \$950
- ☐ Four months (37 CFR 1.17(a)(4)) \$ _____
- ☐ Five months (37 CFR 1.17(a)(5)) \$ _____

- ☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount shown above is reduced by one-half, and the resulting fee is: \$ _____.
- ☐ A check in the amount of the fee is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director has already been authorized to charge fees in this application to a Deposit Account.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 19-0733. I have enclosed a duplicate copy of this sheet.

I am the

- ☐ applicant/inventor.
- ☐ assignee of record of the entire interest. See 37 CFR 3.71 Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).
- ☒ attorney or agent of record. Registration No. 35,509
- ☐ attorney or agent under 37 CFR 1.34(a).

Registration number if acting under 37 CFR 1.34(a). _____

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July 20, 2004

Date

(202) 824-3000

Telephone Number

Signature

Gary D. Fedorochko

Typed or printed name

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ Total of 1 forms are submitted.

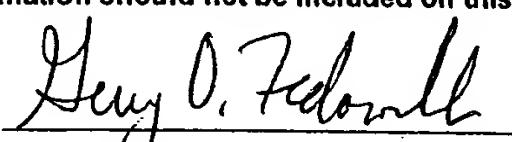
This collection of information is required by 37 CFR 1.136(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/31 (08-03)
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number (Optional) 004944.85635	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on _____. Signature _____ Typed or printed name _____	In re Application of Corey E. Klatt et al.		
	Application Number 09/479,918		Filed January 10, 2000
	For SYSTEM AND METHOD OF USING A SALES MANAGEMENT SYSTEM TO GENERATE PRINTED PRODUCTS		
	Art Unit 3624	Examiner E. Colbert	
Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner.			
The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$ <u>330</u>.			
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ _____.			
<input type="checkbox"/> A check in the amount of the fee is enclosed.			
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.			
<input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.			
<input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. <u>19-0733</u> . I have enclosed a duplicate copy of this sheet.			
<input type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.			
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.			
I am the			
<input type="checkbox"/> applicant/inventor.		Signature	
<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71.		Gary D. Fedorochko	
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)		Typed or printed name	
<input checked="" type="checkbox"/> attorney or agent of record.		(202) 824-3000	
Registration No. <u>35,509</u>		Telephone number	
<input type="checkbox"/> attorney or agent acting under 37 CFR 1.34(a).		July 20, 2004	
Registration No. if acting under 37 CFR 1.34(a) _____.		Date	
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.			

☒ *Total of 1 forms are submitted.

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Application No. : 09/479918 Application filed

Created Actions	Cycle	Status	Criteria
PTO Office actions	1		134
Abandonment & Ceasing	1		5553
Converted Dates	1		110
Overview	1		1069
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3 month Office Action mail date	27-Mar-2003			1	
3 month Office Action mail date	24-Aug-2004			2	
3 month Office Action mail date	15-Dec-2004			3	
Respond to 3 month Office Action	29-Sep-2003			1	FILED AMENDMENT DTD 3/27/2003 W/ EXT. ON 9/29/2003
Respond to 3 month Office Action	30-Sep-2004			2	FILED AMENDMENT DTD 8/24/2004 ON 9/30/2004
Respond to 3 month Office Action	11-Mar-2005			3	RESPONSE W/ COPY OF REQ. FOR RECONSIDERATION
FINAL 3 month Office Action mail date	20-Jan-2004			1	
Respond to FINAL 3 month Office Action	20-Jul-2004			1	FILED 07/20/2004: RESP, NOTICE OF APPEAL, PETITION
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